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**IN THE UNITED STATES DISTRICT COURT,
FOR THE DISTRICT OF MONTANA, MISSOULA DIVISION**

WILLIAM E. RIDEG, Plaintiff, v. ROBERT BERLETH and NADIA BERLETH, Defendants.	Cause No. 9:21-cv-00021-DLC-KLD NOTICE THAT PLAINTIFF'S MOTION FOR REMAND IS RIPE FOR RULING
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COMES NOW, Plaintiff, William E. Rideg, by and through his counsel of record, Gregory A. McDonnell of Thomas C. Orr Law Offices, P.C. and respectfully provides notice to this Court that the Defendants' time to respond to *Plaintiff's Motion for Remand to State District Court* (Mar. 2, 2021) (DKT 2) has expired.

Pursuant to D. Mont. L. R. 7.1(d)(1)(B)(ii) a response brief is to be filed “within 14 days after the motion was filed.” The local rules also note “[a] motion is deemed ripe for ruling at the close of the time for response.” D. Mont. L. R. 7.1(d)(1)(D). “Failure to file a response brief may be deemed an admission that the motion is well taken.” D. Mont. L. R. 7.1(d)(1)(B)(ii).

In the present matter, Plaintiff filed his Motion, Brief in Support, and associated exhibits on March 2, 2021. (DKTS 2, 2-1, 2-2). Defendants (one of whom is a Montana attorney) were served electronically via CM/ECF. (DKT 2). Defendants’ Response Brief was due 14 days after filing. D. Mont. L. R. 7.1(d)(1)(B)(ii). Counting every day, excluding the day that triggers the period, Defendant’s Response was due on March 16, 2021. *See* Fed. R. Civ. P. 6(a)(1).

Defendants have failed to file a timely response brief. Plaintiff’s motion for remand is now ripe for ruling and Defendants’ failure to file should be deemed an admission that the motion is well taken.

RESPECTFULLY SUBMITTED this 17th day of March, 2021.

THOMAS C. ORR LAW OFFICES, P.C.

/s/ Gregory A. McDonnell
Gregory A. McDonnell
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

D. Mont. L.R. 5

I, Gregory McDonnell, attorney for Plaintiff, hereby certifies that a copy of the foregoing was served on these persons by the following means:

1,2 CM/ECF

_____ Hand Delivery

_____ Mail

_____ Overnight Delivery Service

_____ Fax

_____ Email

1. Clerk, U.S. District Court;
2. Defendants Robert and Nadia Berleth, by and through their counsel, Robert Berleth, Esq. MT Bar No. 53919739

RESPECTFULLY SUBMITTED this 17th day of March, 2021.

THOMAS C. ORR LAW OFFICES, P.C.

/s/ Gregory A. McDonnell
Gregory A. McDonnell
Attorneys for Plaintiff